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March 7, 2006

**VIA CM/ECF and HAND DELIVERY**

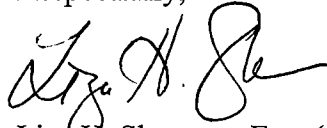
Chief Judge Sue L. Robinson  
U.S. District Court for the District of Delaware  
844 N. King Street  
Room 6124  
Lockbox 31  
Wilmington, DE 19801

Re: *Elsmere Park Club, L.P. v. Town of Elsmere, et al.*  
C.A. No. 04-1321 (SLR)

Dear Judge Robinson:

On behalf of Defendant's Town of Elsmere, Ellis Blomquist, Eugene Boneker and John Giles, and in accordance with Local Rule 7.1.2(a), this letter provides notice to the Court that Defendant's waive their right to file a Reply Brief in Support of Defendants' Motion to Strike Plaintiffs' Sur-Reply, which would, by Local Rules, be due today.

Respectfully,



Liza H. Sherman, Esq. (#4124)

cc: Clerk of the Court (via CM/ECF)  
Patrick A. Costello, Esq. (via CM/ECF)